

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
TERRE HAUTE DIVISION

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|------------------------------------|---------------------------|
| EDUCATIONAL SERVICE CENTERS RISK) | |
| FUNDING TRUST,) | |
| METROPOLITAN SCHOOL DISTRICT OF) | |
| SHAKAMAK,) | |
|) | |
| Plaintiffs,) | |
|) | |
| v.) | No. 2:20-cv-00167-JPH-MJD |
|) | |
| BRIT GLOBAL SPECIALTY USA,) | |
|) | |
| Defendant.) | |

ORDER ON JURISDICTION

Defendant filed a notice of removal alleging that this Court has diversity jurisdiction over this matter. Dkt. 1. Defendant alleges the proper defendant is Certain Underwriters at Lloyd's, London Subscribing to Policy No. PK1005718, Lloyd's Syndicate 2987. *Id.* at 1.

For the Court to have diversity jurisdiction, the amount in controversy must exceed \$75,000, exclusive of interest and costs, and the litigation must be between citizens of different states. 28 U.S.C. § 1332(a). The Seventh Circuit has held that “underwriting syndicates at Lloyd's of London must be treated like limited partnerships for purposes of determining their citizenship when jurisdiction depends on 28 U.S.C. § 1332.” *Indiana Gas Co. v. Home Insurance Co.*, 141 F.3d 314, 320 (7th Cir. 1998). Limited partnerships are citizens of “every jurisdiction of which any partner is a citizen,” so by analogy a Lloyd's underwriting syndicate “has the citizenship of each participating ‘[N]ame’.” *Id.* at 316, 320; *see also Dexia Crédit Local v. Rogan*, 629 F.3d 612,

619 (7th Cir. 2010) (explaining that *Indiana Gas* held that “all of the members belonging to a Lloyd's of London syndicate ha[ve] to be considered for purposes of diversity jurisdiction”).

Counsel has an obligation to analyze subject-matter jurisdiction, *Heinen v. Northrop Grumman Corp.*, 671 F.3d 669, 670 (7th Cir. 2012), and a federal court always has the responsibility to ensure that it has jurisdiction, *Hukic v. Aurora Loan Servs.*, 588 F.3d 420, 427 (7th Cir. 2009). The Court’s obligation includes knowing the details of the underlying jurisdictional allegations. See *Evergreen Square of Cudahy v. Wis. Hous. and Econ. Dev. Auth.*, 776 F.3d 463, 465 (7th Cir. 2015) (“[F]ederal courts are obligated to inquire into the existence of jurisdiction *sua sponte*”). To establish diversity of citizenship as to a Lloyd's underwriting syndicate, the citizenship of every participating member must be affirmatively alleged. See *Guaranty National Title Co. v. J.E.G. Associates*, 101 F.3d 57 (7th Cir. 1996).

Therefore, Defendant **SHALL FILE** a supplemental jurisdictional statement by **May 8, 2020**, alleging each participating member’s citizenship. Plaintiffs shall comply with Local Rule 81-1(b) **within thirty days** after Defendant files its jurisdictional statement.

SO ORDERED.

Date: 4/8/2020



James Patrick Hanlon
United States District Judge
Southern District of Indiana

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